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The territory of the Western Sahara is dusted with a thin layer of development, civil rights and legal process. Since May of this year, that thin coating has been blown away by the inability of the Moroccan state to accommodate the predominantly peaceful protests of an increasingly frustrated Sahrawi population.

That population has been given the lead by a civil rights movement that grew out of a previous wave of protests in 1999. I have visited the territory on a number of occasions since the beginning of 2002, initially at the invitation of the Moroccan government and subsequently on an independent basis, and have watched closely the development and spread of the movement. I was last in the territory two weeks ago. My analysis of the information I gathered then is that the Moroccan government's strategy is to eliminate the movement by crushing all protest and interning civil rights activists. This strategy is implemented through large scale deployment of paramilitary security forces in population centres, beating of demonstrators, restrictions on the local and international press, and the de facto suspension of due process in the judicial system.

The Years of Lead

In the years following the flight of much of the Sahrawi population to the camps in Algeria, those who remained lived in a state of permanent uncertainty and fear. Civil rights activists, many of whom endured years in Moroccan jails, the horrors of which have been well documented, list some 500 cases of disappearance still outstanding. Some 150 of these cases are witnessed and documented. 'Disappearance' continued well into the 1990s and typically began with a night time raid on a house, seizure of an individual by one of the various security organs, followed by a silence that might last for weeks, months, years or for ever.

In small, tight-knit communities the impact was devastating. Relatives were afraid to discuss the disappearance outside of the home for fear of retribution, no appeal to the outside world was possible, protest was unthinkable. Families of the long-term disappeared still do not know whether to grieve or whether remarriage of spouses is thinkable.

In some cases, whole families were seized. I know one family where two daughters were held for 16 years and the parents both perished in prison.

In the last few weeks a mass grave was uncovered close to a former prison in Morocco. Of the 50 or so corpses, almost all were Sahrawi.

After the 1991 ceasefire between Morocco and Polisario, 321 'disappeared' were released, 73 of them women, and 57 declared dead, according to Sahrawi sources. However, the so-called Years of Lead did not end with the ceasefire. I have interviewed families whose sons were taken in 1992 and never seen again.

Two years ago a limited programme of family visits between the camps and Laayoune was initiated and that is due to be repeated, thanks to the UNHCR. But it should be borne in mind that there is scarcely a Sahrawi family that is not divided, parent from child, sibling from sibling, husband from wife, between exile and life under Moroccan rule.

At the social and economic levels, while reliable data is hard to come by, it is clear the Sahrawis have cause for complaint – overwhelmingly they are unemployed and marginalised. At school they are taught Moroccan history, their dialect is discouraged, and they are heavily policed. Some of the disappeared were snatched from their classrooms. There is no university in the territory. Those graduates lucky enough to be offered jobs often find themselves posted to distant parts of Morocco.

Visitors on facilitated trips to the territory are frequently shown housing projects. Whether these are in Laayoune or other towns or in coastal villages, it is evident after independent visits to the area that these houses are not for Sahrawi use and, indeed, that they may lie empty for years after apparent completion.

Sahrawis have benefited little from the massive increase in Moroccan fishing in Sahrawi waters. The Western Sahara accounts for well over half of the 'Moroccan' catch in a sector that has become increasingly important as an export earner and job generator. The boats and the workers are overwhelmingly Moroccan and the profits flow north or into the pockets of those controlling licences.

The phosphate industry, established in the latter years of Spanish rule, was an important source of employment but Sahrawi miners and retired miners complain their employment and pension contracts have been rewritten while some have been demoted, others transferred to Moroccan facilities, and that new recruits are drawn from inside Morocco. Morocco produces no oil and its treasury suffers from the volatility of energy prices so it is particularly anxious to find hydrocarbons in the highly prospective Western Saharan waters. Despite the well-known legal opinion of the senior UN lawyer, Hans Correll, few Sahrawis believe any oil project profits would flow to the indigenous people.

1999 and beyond

In the late 1990s there was a relative relaxation in the Western Sahara. This derived in large part from constant criticism by external human rights groups, pressure from European partners of Morocco, and then a period of uncertainty, not to say intrigue, following the death of King Hassan.

The opportunity was seized first by Sahrawi students in Moroccan universities. In the second half of 1999 though, small protests began in Laayoune with school graduates complaining about discriminatory employment policies. These grew as retired phosphate miners and representatives of other interest groups joined in until some 200 people were engaged in a long term sit down protest. After two weeks the protest was broken up by riot police.

It is very important to understand what happened next. To the surprise of the protest's organisers, unorchestrated demonstrations broke out in heavily Sahrawi districts of the town and were echoed by Sahrawi students in Morocco.

In the weeks it took to pacify Laayoune, the civil rights movement was conceived and born as activists determined to organise. It was at this time that former prisoners and would-be activists who had never met before got together, that families of the disappeared began to speak out, that prisoner release campaigns got underway, culminating in the release of Mohamed Daddach who had been detained for a quarter of century.

The following few years saw an increase in the confidence and organisation of the civil rights movement as it spread beyond Laayoune to Smara, Dakhla and Boujdour.

Perhaps of most concern to Morocco, it emerged strongly in the ethnically Sahrawi town of Assa, which lies within Morocco itself, finding echoes in other southern Moroccan towns such as Goulmime and Tan Tan.

The movement benefited to some extent from developments inside Morocco where the government tried to draw a line under the Years of Lead. Local human rights organisations were permitted to operate and Sahrawi chapters affiliated. Many of those who had been held without trial received compensation and public hearings were given to former detainees.

However, even during this period when Morocco was being lauded abroad, Sahrawis faced discriminatory treatment. The 500 outstanding cases of disappearance remained

outstanding. Demonstrations in Smara in late 2001 were put down with force and arrestees handed down long prison sentences. The Sahrawi chapter of the Forum for Truth and Justice was closed down – much of the evidence presented against it relating to contacts with foreign journalists. Because former victims of torture and imprisonment were forbidden from naming those responsible, the perpetrators faced neither exposure nor punishment.

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One might link the timing of the 1999 protests with growing frustration over the delay in implementing the referendum promised in the 1991 Settlement Plan. Similarly, one might draw a dotted line between the protests that began in May this year, sparked by transfer of a prisoner to a far-flung prison, to Sahrawi frustrations over lack of implementation of Mr Baker's Peace Plan.

What is plain is that the protests of this year are far more overtly political than those in 1999. Then, the Moroccan government and press ascribed the unrest to social grievances exploited by a handful of pro-Polisario agents provocateurs. Today, it is undisputed that demonstrators are explicitly demanding a referendum of self-determination. That goes for protests in schools, universities in Morocco, and the streets of Sahrawi districts in towns across the territory and inside southern Morocco.

Civil rights activists have been involved in organising some of the largely peaceful protests. At others they have attempted to act as monitors, following detainees to police stations and hospitals to try to ensure they are properly treated. But many of the small-scale events are either spontaneous or are organised by groups of youths.

It is very important to understand that neither the civil rights committees nor the street is controlled directly by Polisario's external leadership. Civil rights activists want Sahrawi self-determination and view this as the most fundamental of rights. Some of them are more-or-less openly sympathetic to Polisario and, of course, the mobile phone has provided a two-way communication flow between the camps and the Moroccan controlled territory. But many are independently minded and some even see their movement as a tool for ensuring a healthy civil society in an independent Western Sahara. There are different tendencies and opinions within the civil rights movement, some now seeing confrontation as being the only means of gaining international attention, some seeing the movement as a transitional stage towards full-blooded political struggle while others believe demands for social and judicial reform have their own value.

This, plus the degree of surveillance of the population and the fact that protests are continuing despite the imprisonment of many key activists gives the lie to the notion that Polisario can turn on and off the tap of protest in the territory. I know that Polisario is using what influence it does have to hold back hot heads.

One might draw a loose parallel between the development of protest in the Western Sahara and the first Palestinian intifada. In both cases the leadership of an externally-based movement has had to run to catch up with events on the ground. Actually, I would go further – even local activists have again and again been surprised by the spontaneity of protest.

Morocco's response

As I have already remarked, the streets of Laayoune are currently swarming with units of an alphabet soup of security forces. Each week I and many other journalists receive photographs of Sahrawis covered in blood, bandages, bruises after their release from

custody. I know children as young as five years old who have been chased through their neighbourhood by police on the grounds they were illegally demonstrating.

Several dozen civil rights activists have been detained, sometimes without charge and sometimes without hearing dates being set. Due process has been suspended by the judiciary with arrest being allowed to slide into indefinite internment. Where there have been trials, Sahrawis complain that prison sentences of many years have eventuated from hearings where the defence has been unable to function. Conditions in Moroccan prisons, particularly the Carcel Negre in Laayoune are appalling. Detainees, many of them unconvicted, many of them sick and injured are crammed into rooms so full some have to sleep in latrine cubicles.

Aminatou Haider is a single mother of two young children. She is a slight figure, still carrying the physical and emotional scars of the young woman she was when she was disappeared. She has insisted on speaking out, accusing by name those who treated her as they wished during her incarceration. She was beaten whilst monitoring a protest in early summer, carried covered in blood to hospital from which she was snatched and taken to jail. As far as I am aware she remains uncharged. After a long hunger strike, she is suffering multiple illnesses. She and others, such as Hmad Hammad, may not survive their imprisonment.

In a chilling reminder of other times and other places, Ali Salem Tamek, a hate figure of the Moroccan establishment press, currently detained in a prison near Agadir, has been threatened with committal to a mental hospital.

As I travelled to Laayoune three weeks ago, two events occurred that I will relate.

Firstly, on October 30 a protest took place in the Smara Road district of Laayoune.

There was a stand off between a crowd of 50-100 Sahrawis and members of the Groupe Urbaine Securitaire. According to eye witnesses to whom I have spoken, as the protestors dispersed the security forces followed their usual practice of targeting a handful of demonstrators. One of those picked out this time was Lembarki Hamdi. He was run down by a vehicle and then systematically trampled by 11 agents until blood flowed from his mouth, nose and ears. Two bypassers who tried to take him to hospital were detained. He was declared dead in hospital.

The authorities announced he was killed by a stone thrown by a demonstrator. I have seen photographs of the corpse. I have spoken to his family and I have spoken to witnesses. He was not killed by a stone. When I saw the family they had fled their house because it had been raided three times by the security forces in the hours since the death. They were refusing to accept the body – a terribly hard decision for a muslim family, not least in the holy month of Ramadan – because they wanted an independent autopsy.

Second, in the wake of the death of Lembarki Hamdi, civil rights activist Brahim Dahane was arrested while monitoring a protest. He joins several dozen others many of who have been on hunger strike.

Two things are significant about Brahim Dahane's detention, namely that the primary subject of his interrogation was his contact with foreign, including US, diplomats and journalists, and that he has been a determined and consistent advocate of peaceful protest, a calming voice in an increasingly frustrated environment.

While Dahane, whose sister won political asylum in Britain in 2004, is being held on a litany of vague allegations such as membership of an illegal organisation and compromising the territorial integrity of the kingdom, it has been put to me that there is now a policy of removing from the street those with external contacts and those who are seeking to deny the security forces the chance to intensify the crackdown on dissent.

Conclusion

The situation in the Western Sahara is at a crossroads. At the diplomatic level, Morocco appears confident in its ability to rebuff Baker's Peace Plan without significant protest from the Security Council. This confidence no doubt derives from its success in sinking the Settlement Plan to which it signed up almost a decade and a half ago.

On the ground in the territory it controls, Morocco has intensified the exploitation of and search for natural resources, aided by US company Kerr McGee in the case of oil. But the limited economic development and the more substantial infrastructural development has been aimed at settling the territory. To the limited extent Sahrawis have benefited it has been incidental or by grace and favour.

If a window of opportunity for open organisation of a civil rights movement opened in the late 1990s, it is now being slammed shut. If it is closed, there will be one more argument in favour of those who reason that peaceful protest wins nothing. I believe there is a very real danger of a provocation that would escalate the conflict, turning the Moroccan settler majority in the territory against their Sahrawi neighbours. That road leads to pogroms.

Destruction of the Sahrawi civil rights movement flies in the face of Morocco's constant assertions abroad that it wishes to pursue development, democracy and devolution. It also sends a frightening message to those seeking real reform inside Morocco itself.

I would strongly and respectfully urge the committee to monitor the situation on the ground in the Western Sahara, something the UN mission has signally failed to do, and to establish communication links with the Sahrawi civil rights movement, helping it to survive and thrive as a constructive element in whatever future lies ahead.

Finally, I must say that I hold no candle for Polisario. I do not advocate Sahrawi independence any more than integration with Morocco. I do not claim to know what in their hearts the majority of Sahrawis want. What I do firmly believe, and I think it may resonate in this room, is that it is the most basic of civil rights that a people be allowed to define its own identity. We will never know what the Sahrawis want unless the international community insists that they are given a clear choice in a vote of self-determination. That means a choice between integration and independence, a choice that is monitored and guaranteed by the international community.

Thank you.
